

**RESOLUTION TO AMEND THE APPRAISAL PROCESS  
WHEN PURCHASING REAL PROPERTY**

RESOLUTION 2006-30<sup>4</sup>  
EXHIBIT \_\_\_\_\_  
DATE 3.23.07  
SB 492

It is the intent of the Montana Association of Counties to seek legislation to restore language to Section 7-8-2202, MCA, to allow counties to have the option to use three disinterested citizens of the county appointed by the district judge or a disinterested certified general real estate appraiser.

**WHEREAS;** pursuant to 7-8-2202, MCA, a county may not purchase real property in excess of \$10,000 without the value of the property being estimated by a disinterested certified general real estate appraiser; and

**WHEREAS;** the cost of an appraisal may be greater than the value of some properties; and

**WHEREAS;** it is difficult to have the appraisal completed in a timely manner in eastern Montana due to the shortage of appraisers;

**NOW THEREFORE BE IT RESOLVED,** the Montana Association of Counties shall seek legislation to restore language to Section 7-8-2202, MCA to allow counties the option of using three disinterested citizens of the county appointed by the district judge or a disinterested certified general real estate appraiser.

**SPONSOR:** Districts 1, 2 & 3

**RECOMMENDATION:** Do Pass

**PRIORITY:** Medium

**REFERRED TO:** MACo Resolutions Committee

**ADOPTED:** Annual Conference, Bozeman, MT  
September 27, 2006

**7-8-2202. Appraisal required for certain purchases of real property or conservation easements.** Unless otherwise provided by law, a county may not purchase real property in an amount in excess of \$10,000 or a conservation easement using public funds in an amount in excess of \$40,000 unless the value of the property or conservation easement has been previously estimated by:

- 1) a disinterested certified general real estate appraiser selected by the county commission, county attorney, and landowner, or
- 2) three disinterested citizens of the county appointed by the district judge.

A county may not pay more than the appraised value for the real property or conservation easement.